

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13964, of Potomac Development Corp., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to continue the use of a parking lot in an R-4 District at the premises 225 F Street, N.E., (Square 754, Lot 110).

HEARING DATE: June 8, 1983

DECISION DATE: June 8, 1983 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-4 zone district at the rear of 225 "F" Street, N.E.

2. The subject property presently operates as a parking facility, pursuant to this Board's Order No. 12701, dated July 19, 1978.

3. The applicant proposes the continuation of a parking facility for a period of five years.

4. The property is surrounded on two sides by alleys and on the third side by rear yards of dwellings facing F Street. It is adjacent to a commercially zoned parking lot also owned by the applicant. The two lots are separated by an alley which has been closed.

5. Uses in the subject square include three commercial uses owned by the applicant, three commercial garages in the alley, and other commercial and residential uses. Surrounding uses include several commercial restaurants, as well as other commercial establishments and the Union Station.

6. The lot, consisting of twelve spaces, operates twenty-four hours a day, and rents spaces on a monthly basis. The spaces are rented to employees of the nearby commercial facilities and local residents. All of these employees are unable to park on the public street for more than two hours because of the residential permit parking program. Occasional use of the lot is made by neighbors when the business renters have left the lot after 6:00 P.M. and on weekends.

7. There is no vehicular entrance or exit within twenty-five feet of the street intersection. There are no commercial signs posted on the property.

8. In an R-4 District, very limited use may be made of alley property. No residential use can be made of this lot, and parking lots and warehouses both require approval of this Board.

9. The applicant has met the requirements of Article 74, as well as the conditions of BZA Order No. 12701. All areas devoted to driveways, access lanes and parking areas have been paved with materials which form an all weather impervious surface. Bumpers at the end of the parking spaces prevent the projection of vehicles over any lot line or building line. There is no other use conducted from or upon the premises and no structures thereon. No vehicular entrance or exit is within twenty-five feet of the street intersection of curb lines extended. The parking lot is cleaned once a month. It is regularly inspected by the applicant's maintenance and management personnel and cleaned more frequently when necessary.

10. The applicant has received no complaints regarding the operation of the subject parking lot.

11. A petition containing sixteen signatures of residents and occupants in the immediate surrounding area was filed in support of the application.

12. A letter of opposition was filed on behalf of the Stanton Park Citizens Association which stated that the Association was opposed as a policy matter because of its over-all policy against all commuter parking lots. No witnesses appeared on behalf of the Stanton Park Citizens Association at the hearing. The record is bereft of any specific objection by the Stanton Park Citizens Association to the operation of the subject parking lot.

13. Advisory Neighborhood Commission 6A made no recommendation on the subject application.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 3104.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the continued use of this property as a parking facility will not adversely affect the present character or future development of the neighborhood. The Board concludes that the lot is reasonably necessary and convenient to residents and other commercial uses in the vicinity. Based on the past history of the continuous operation of the lot and the relatively small size of the lot, the Board concludes that the continuation of this

parking facility will not create any dangerous or otherwise objectionable traffic conditions. There are no commercial advertising signs on the lot. The lot complies with the requirements of Article 74.


The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

- A. Approval shall be for a period of FIVE YEARS from the date of expiration of the previous certificate of occupancy, namely from May 11, 1983.
- B. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface
- C. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- D. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- E. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- F. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- G. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 5-0 (Douglas J. Patton, Carrie Thornhill, William F. McIntosh, Maybelle T. Bennett and Charles R. Norris to GRANT).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

AUG 15 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.

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